

**ShawPittman LLP**

*A Limited Liability Partnership Including Professional Corporations*

EX PARTE OR LATE FILED ORIGINAL

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September 9, 2004

*Via Courier*

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**RECEIVED**

SEP 16 2004

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SEP - 9 2004

**MEDIA BUREAU**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: EX PARTE SUBMISSION  
WT Docket 03-66; Amendment of Parts 1, 21, 73, 74, and 101 of the  
Commission's Rules to Facilitate the Provision of Fixed and Mobile  
Broadband Access, Educational and Other Advanced Services in the  
2150-2162 and 2500-2690 GHz Bands**

Dear Ms. Dortch:

On September 8, 2004, Darryl DeLawder of DeLawder Communications, Inc., an engineering consulting firm, Bradley Holmes, consultant, and Bruce Jacobs and Tony Lin, each of Shaw Pittman LLC, on behalf of NY3G Partnership ("NY3G"), met with Scott Delacourt, Uzoma Onyeije, Genevieve Ross, John Schauble, and Nancy Zaczek regarding the above-referenced proceeding.

NY3G talked about its current efforts to provide wireless broadband service to the New York City area. The parties discussed the proposals in the Commission's *Further Notice of Proposed Rulemaking*, and NY3G indicated its support for the proposal to designate MMDS licensees as primary in the E and F group channels. The parties also discussed the proposals that NY3G had previously raised in this proceeding, including the assignment of low-power channels to MMDS licensees and high-power channels to grandfathered ITFS licensees.

Attached are copies of materials distributed at the meeting.

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# ShawPittman LLP

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Please direct any questions regarding this matter to the undersigned.

Very truly yours,



Bruce D. Jacobs

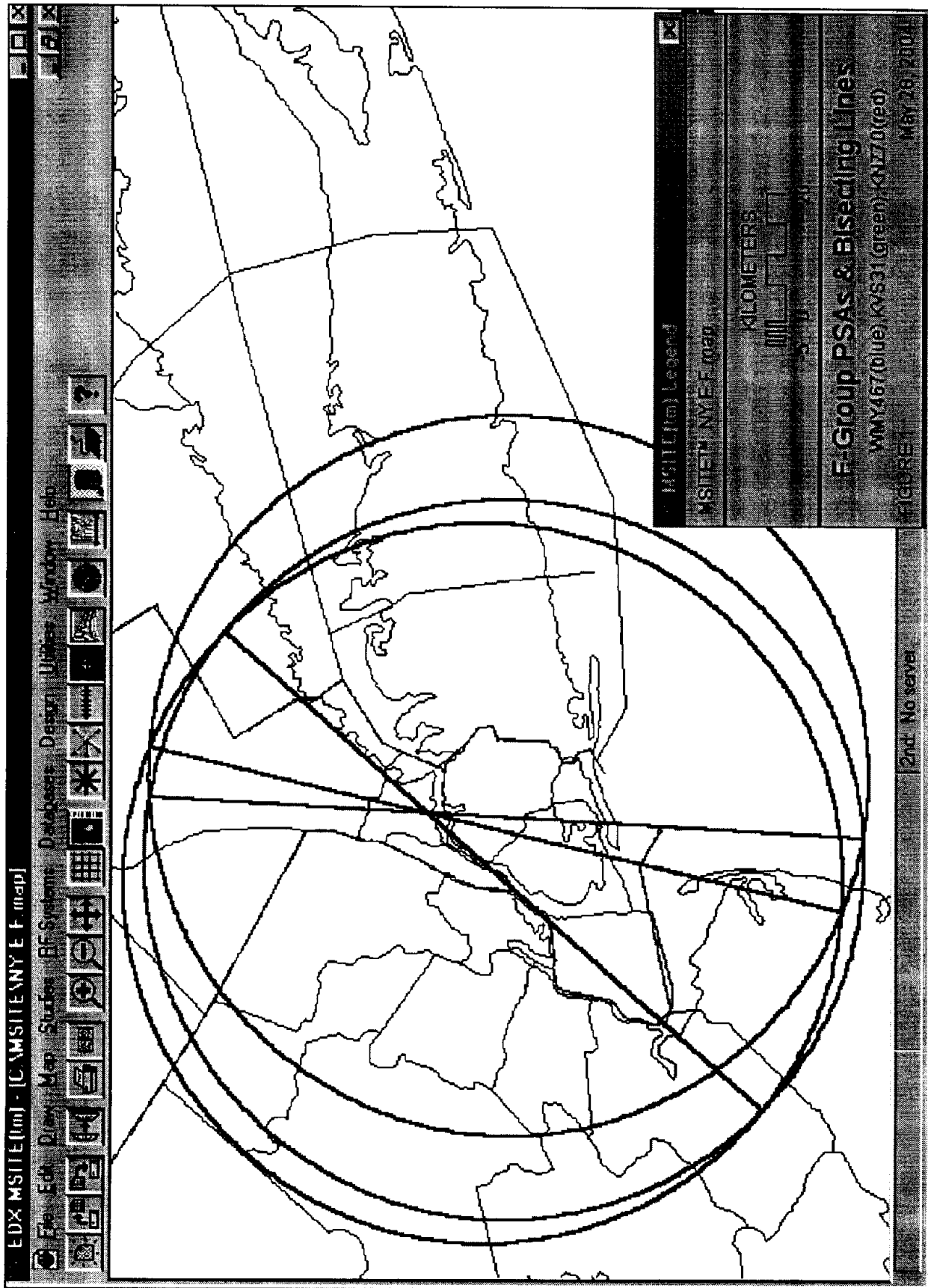
Tony Lin

*Counsel for NY3G Partnership*

## Attachments

cc: *(without attachments)*  
Scott Delacourt  
Uzoma Onyeije  
Genevieve Ross  
John Schauble  
Nancy Zaczek





# F-Group PSAs & Bisecting Lines

WMY467(blue), KVS31(green), GNZ70(red)

May 28, 2004

FIGURE 1